

INTRODUCTION

BACKGROUND

The Federal Railroad Administration has identified roughly 260,000 public and private highway-rail crossings in the United States. Most aspects of jurisdiction over highway-rail grade crossings resides with the states. Within some states, responsibility is divided between several public agencies and the railroad. In other states, jurisdiction over highway-rail crossings is assigned to a regulatory agency referred to variously as the Public Utility Commission, Public Service Commission, or State Corporation Commission. Still, other states divide the authority among public administrative agencies of the state, county, and city having jurisdiction and responsibility for their respective highway systems.

State and local law enforcement agencies have the responsibility for the enforcement of traffic laws at highway-rail crossings. In a number of cases, local government bodies are given responsibility for operational matters related to crossings, and they do this through ordinances.

PURPOSE AND SCOPE

The Third Edition of Compilation of State Laws and Regulations on Matters Affecting Highway-Rail Crossings is intended to provide an up-to-date and more expansive look at the various state laws and regulations concerning driver behavior at highway-rail grade crossings, as well as a compilation of laws and regulations concerning trespassing on railroad rights of way and equipment, as well as vandalism to railroad property and equipment; and for the first time, a look into the various state laws concerning photographic enforcement of traffic laws. In this edition, the laws and regulations of all fifty states and the District of Columbia are compiled into one comprehensive, easy-to-use document.

This book is intended to provide a one-stop initial reference for researchers, engineers, students and legal practitioners, and those who make their living working in the field of highway-rail crossing safety. As with both the first and second editions, this document is intended to be useful in assessing differences and similarities among states, in seeking desirable and undesirable laws and in conducting legal research. The Uniform Vehicle Code (UVC) is appended to this edition. Since it was first published in 1926, it has provided a comprehensive guide to states as they developed their motor vehicle laws. It is included here for those researchers and practitioners to use as a comparison of existing state laws to the UVC.

The source material collected for this book was obtained from various online research software and from the various volumes of laws and regulations published in each state, both in hard copy and online at the web sites of the various states. The law presented is intended to be current to March 1999).